

## 28.203-5 Exclusion of individual sureties.

(a)An individual may be excluded from acting as a surety on bonds submitted by offerors on procurement by the executive branch of the Federal Government, by the acquiring agency's head or designee utilizing the procedures in [subpart 9.4](#). The exclusion shall be for the purpose of protecting the Government.

(b)An individual may be excluded for any of the following causes:

(1)Failure to fulfill the obligations under any bond.

(2)Failure to disclose all bond obligations.

(3)Misrepresentation of the value of available assets or outstanding liabilities.

(4)Any false or misleading statement, signature or representation on a bond or affidavit of individual suretyship.

(5)Any other cause affecting responsibility as a surety of such serious and compelling nature as may be determined to warrant exclusion.

(c)An individual surety excluded pursuant to this section shall be entered as an exclusion in the System for Award Management (see [9.404](#)).

(d)Contracting officers shall not accept the bonds of individual sureties whose names appear in an active exclusion record in the System for Award Management (see [9.404](#)) unless the acquiring agency's head or a designee states in writing the compelling reasons justifying acceptance.

(e)An exclusion of an individual surety under this section will also preclude such party from acting as a contractor in accordance with [subpart 9.4](#).

**Parent topic:** [28.203 Individual Sureties](#).